

# EXHIBIT H

**EXHIBIT F**  
**Challenged Withholdings**

OFFICE OF PUBLIC AFFAIRS OFFICIALS <sup>1</sup>	
<u>Name</u>	<u>Title</u>
Michael Short	Director
Erica Richardson	Former Director
Donna Faulk-White	Deputy Director
Dennis Holden	Former Associate Deputy Direction [sic]
Antoinette Turner	Public Affairs Specialist
Michelle Woodland	Web Content Specialist
Chanel Smith	Staff Assistant
Michael Katz	Consultant

I. PUBLIC AFFAIRS DOCUMENTS <sup>2</sup>								
<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
1	<b>Kobre-Kim-CFTC-0000539<sup>3</sup></b>	Grimm, Daniel <a href="mailto:DGrimm@cftc.gov">DGrimm@cftc.gov</a>	McDonald, James <a href="mailto:JMcDonald@cftc.gov">JMcDonald@cftc.gov</a>		FW: Kraft Case Ending Press Release 6.2.19 JMM edits	8/5/2019 16:37	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email contains mental impressions and opinions about Settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
2	<b>Kobre-Kim-CFTC-0000543</b>	Short, Michael <a href="mailto:MShort@cftc.gov">MShort@cftc.gov</a>	Howell, Robert <a href="mailto:RHowell@cftc.gov">RHowell@cftc.gov</a>	Wedewer, Harry E <a href="mailto:HWedewer@cftc.gov">HWedewer@cftc.gov</a>	RE: Kraft -- Case Ending	8/5/2019 14:22	<b>Exemption 5</b> Attorney-Client Privilege	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about

<sup>1</sup> The information in this table comes directly from the CFTC's list of custodians. See Dkt. No. 35, Ex. 2 at 5.

<sup>2</sup> This table contains relevant excerpts from the CFTC's *Vaughn* index. See Dkt. No. 35, Ex. 1.

<sup>3</sup> The CFTC's *Vaughn* index lists only Daniel Grimm and James McDonald as parties to the communication. See Dkt. No. 35, Ex. 1 at 11. But the underlying document shows that Michael Short was also a party to the redacted communication.

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<b>I. PUBLIC AFFAIRS DOCUMENTS<sup>2</sup></b>								
<b><u>Bates Number</u></b>	<b><u>Email From</u></b>	<b><u>Email To</u></b>	<b><u>Email CC</u></b>	<b><u>Email Subject</u></b>	<b><u>Email Date</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>	
			Lowe, Gretchen L <a href="mailto:GLowe@cftc.gov">GLowe@cftc.gov</a>	McDonald, James <a href="mailto:JMcDonald@cftc.gov">JMcDonald@cftc.gov</a> McGonagle, Vincent A. <a href="mailto:VMcgonagle@cftc.gov">VMcgonagle@cftc.gov</a> Williamson, Scott R <a href="mailto:SWilliamson@cftc.gov">SWilliamson@cftc.gov</a> Gradman, Susan J <a href="mailto:SGradman@cftc.gov">SGradman@cftc.gov</a> Grimm, Daniel <a href="mailto:DGrimm@cftc.gov">DGrimm@cftc.gov</a>	Press Release 6.2.19 -- JMM edits		<b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>3</b>	<b>Kobre-Kim-CFTC-0001167<sup>4</sup></b>	McGonagle, Vincent A <a href="mailto:VMcgonagle@cftc.gov">VMcgonagle@cftc.gov</a>	Lowe, Gretchen L <a href="mailto:GLowe@cftc.gov">GLowe@cftc.gov</a>		FW: Kraft – Case Ending Press Release 6.2.19 -- JMM edits	8/5/2019 17:38	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>4</b>	<b>Kobre-Kim-CFTC-0003921</b>	Pizzola, Chelsea <a href="mailto:CPizzola@cftc.gov">CPizzola@cftc.gov</a>	Short, Michael <a href="mailto:MShort@cftc.gov">MShort@cftc.gov</a>	Grimm, Daniel <a href="mailto:DGrimm@cftc.gov">DGrimm@cftc.gov</a> Thornton, Charlie	RE: Updated Kraft release	8/8/2019 9:42	<b>Exemption 5</b> Attorney-Client Privilege	Email reflecting predecisional deliberative process regarding what to communicate to the public about

<sup>4</sup> The CFTC's *Vaughn* index only lists Vincent McGonagle and Gretchen Lowe as parties to the communication. *See* Dkt. No. 35, Ex. 1 at 56. But the underlying document shows that Michael Short was also a party to the redacted communication.

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<b><u>Bates Number</u></b>	<b><u>Email From</u></b>	<b><u>Email To</u></b>	<b><u>Email CC</u></b>	<b><u>Email Subject</u></b>	<b><u>Email Date</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>	
			Klima, Jaime <a href="mailto:JKlima@cftc.gov">JKlima@cftc.gov</a>	<a href="mailto:cthorton@cftc.gov">cthorton@cftc.gov</a>		<b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The email chain also contains information that, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.	
5	Kobre-Kim-CFTC-0003982	Short, Michael <a href="mailto:/O=CFTC/OU=EXCHANGEADMINISTRATIVEGROUP(FYDIBOHF23SPDLT)/CN=RECIPIENT/TS/CN=09F1D30F0676457784F184D196BA97C8-SHORTMICHAEL">/O=CFTC/OU=EXCHANGEADMINISTRATIVEGROUP(FYDIBOHF23SPDLT)/CN=RECIPIENT/TS/CN=09F1D30F0676457784F184D196BA97C8-SHORTMICHAEL</a>	Klima, Jaime <a href="mailto:JKlima@cftc.gov">JKlima@cftc.gov</a> Pizzola, Chelsea <a href="mailto:CPizzola@cftc.gov">CPizzola@cftc.gov</a>	Grimm, Daniel <a href="mailto:DGrimm@cftc.gov">DGrimm@cftc.gov</a> Thornton, Charlie <a href="mailto:cthorton@cftc.gov">cthorton@cftc.gov</a>	FW: Updated Kraft release	8/8/2019 9:41	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The email chain also contains information that, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
6	Kobre-Kim-CFTC-0003986	Short, Michael <a href="mailto:/O=CFTC/OU=EXCHANGEADMINISTRATIVEGROUP(FYDIBOHF23SPDLT)/CN=RECIPIENT/TS/CN=09F1D30F0676457784F184D196BA97C8-SHORTMICHAEL">/O=CFTC/OU=EXCHANGEADMINISTRATIVEGROUP(FYDIBOHF23SPDLT)/CN=RECIPIENT/TS/CN=09F1D30F0676457784F184D196BA97C8-SHORTMICHAEL</a>	Klima, Jaime <a href="mailto:JKlima@cftc.gov">JKlima@cftc.gov</a> Pizzola, Chelsea <a href="mailto:CPizzola@cftc.gov">CPizzola@cftc.gov</a> Thornton, Charlie <a href="mailto:cthorton@cftc.gov">cthorton@cftc.gov</a>	Grimm, Daniel <a href="mailto:DGrimm@cftc.gov">DGrimm@cftc.gov</a>	Updated Kraft release	8/7/2019 19:11	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b>	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal

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<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
		1D30F0676457784F 184D196BA97C8- <u>SHORT,</u> <u>MICHAEL</u>				Ongoing Enforcement Matter	advice as to what to communicate to the public. The email chain also contains information that, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.	
7	<b>Kobre-Kim-CFTC-0003930</b>	Grimm, Daniel <u>DGrimm@cftc.gov</u>	Short, Michael <u>MShort@cftc.gov</u>	Klima, Jaime <u>JKlima@cftc.gov</u>	RE: Kraft: press release language	8/2/2019 13:39	<b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
8	<b>Kobre-Kim-CFTC-0003932</b>	Grimm, Daniel <u>DGrimm@cftc.gov</u>	Short, Michael <u>MShort@cftc.gov</u>	Klima, Jaime <u>JKlima@cftc.gov</u>	E: Kraft: press release language	8/2/2019 10:57	<b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
9	<b>Kobre-Kim-CFTC-0003946<sup>5</sup></b>		Grimm, Daniel <u>DGrimm@cftc.gov</u>	Klima, Jaime <u>JKlima@cftc.gov</u>	RE: Kraft: press release language	8/2/2019 9:10	<b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
10	<b>Kobre-Kim-CFTC-0003989</b>	Short, Michael <u>/O=CFTC/OU=EXCHANGE</u>	Grimm, Daniel <u>DGrimm@cftc.gov</u>	Klima, Jaime <u>JKlima@cftc.gov</u>	RE: Kraft: press release language	8/2/2019 13:36	<b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b>	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft

<sup>5</sup> The CFTC's *Vaughn* index only lists Daniel Grimm and Jaime Klima as parties to the communication. See Dkt. No. 35, Ex. 1 at 66. But the underlying document shows that Michael Short was also a party to the redacted communication.

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		ADMINISTRATIV E GROUP (FYDIBOHF23SPD LT)/CN=RECIPIEN TS/CN=09F 1D30F0676457784F 184D196BA97C8- SHORT, MICHAEL					Ongoing Enforcement Matter	case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
11	Kobre-Kim- CFTC- 0003995	Short, Michael /O=CFTC/OU=EXC HANGE ADMINISTRATIV E GROUP (FYDIBOHF23SPD LT)/CN=RECIPIEN TS/CN=09F 1D30F0676457784F 184D196BA97C8- SHORT, MICHAEL	Grimm, Daniel DGrimm@cftc.gov	Klima, Jaime JKlima@cftc.gov	RE: Kraft: press release language	8/2/2019 10:05	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
12	Kobre-Kim- CFTC- 0003999	Short, Michael /O=CFTC/OU=EXC HANGE ADMINISTRATIV E GROUP (FYDIBOHF23SPD LT)/CN=RECIPIEN TS/CN=09F 1D30F0676457784F 184D196BA97C8- SHORT, MICHAEL	Grimm, Daniel DGrimm@cftc.gov	Klima, Jaime JKlima@cftc.gov	RE: Kraft: press release language	8/2/2019 9:29	<b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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<b>13</b>	<b>Kobre-Kim-CFTC-0004096</b>	Turner, Antoinette <a href="mailto:aturner@cftc.gov">aturner@cftc.gov</a>	Hynes, Lucy <a href="mailto:LHynes@cftc.gov">LHynes@cftc.gov</a> Dunfee, John <a href="mailto:jdunfee@cftc.gov">jdunfee@cftc.gov</a>	Short, Michael <a href="mailto:MShort@cftc.gov">MShort@cftc.gov</a> Faulk-White, Donna <a href="mailto:DFaulk-White@cftc.gov">DFaulk-White@cftc.gov</a>	RE: (Follow-up) FINAL Kraft Concurrence 8- 8- 19	8/13/2019 9:57	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative communications about settlement strategy and what to communicate to the public about Commissioners' views on proposed settlement of the Kraft case. In addition the email contains information communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims. In addition the email contains information communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims and public communications in the Kraft case. Finally, the email chain contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>14</b>	<b>Kobre-Kim-CFTC-0004557</b>	Short, Michael <a href="mailto:MShort@cftc.gov">MShort@cftc.gov</a>	Grimm, Daniel <a href="mailto:DGrimm@cftc.gov">DGrimm@cftc.gov</a>	Klima, Jaime <a href="mailto:JKlima@cftc.gov">JKlima@cftc.gov</a>	RE: Kraft: press release language	8/2/2019 13:36	<b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>15</b>	<b>Kobre-Kim-CFTC-0004563</b>	Grimm, Daniel <a href="mailto:DGrimm@cftc.gov">DGrimm@cftc.gov</a>	Short, Michael <a href="mailto:MShort@cftc.gov">MShort@cftc.gov</a>	Klima, Jaime <a href="mailto:JKlima@cftc.gov">JKlima@cftc.gov</a>	RE: Kraft: press release language	8/2/2019 10:57	<b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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16	Kobre-Kim-CFTC-0004568	Short, Michael <a href="mailto:MShort@cftc.gov">MShort@cftc.gov</a>	Grimm, Daniel <a href="mailto:DGrimm@cftc.gov">DGrimm@cftc.gov</a>	Klima, Jaime <a href="mailto:JKlima@cftc.gov">JKlima@cftc.gov</a>	RE: Kraft: press release language	8/2/2019 10:05	<b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
17	Kobre-Kim-CFTC-0004572	Short, Michael <a href="mailto:MShort@cftc.gov">MShort@cftc.gov</a>	Grimm, Daniel <a href="mailto:DGrimm@cftc.gov">DGrimm@cftc.gov</a>	Klima, Jaime <a href="mailto:JKlima@cftc.gov">JKlima@cftc.gov</a>	RE: Kraft: press release language	8/2/2019 9:29	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
18	Kobre-Kim-CFTC-0004635	Grimm, Daniel <a href="mailto:DGrimm@cftc.gov">DGrimm@cftc.gov</a>	Short, Michael <a href="mailto:MShort@cftc.gov">MShort@cftc.gov</a>	Klima, Jaime <a href="mailto:JKlima@cftc.gov">JKlima@cftc.gov</a>	RE: Kraft: press release language	8/2/2019 13:39	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
19	Kobre-Kim-CFTC-0005006	Howell, Robert <a href="mailto:RHowell@cftc.gov">RHowell@cftc.gov</a>	Short, Michael <a href="mailto:MShort@cftc.gov">MShort@cftc.gov</a> Lowe, Gretchen L <a href="mailto:GLowe@cftc.gov">GLowe@cftc.gov</a>	Wedewer, Harry E <a href="mailto:HWedewer@cftc.gov">HWedewer@cftc.gov</a> McDonald, James <a href="mailto:JMcDonald">JMcDonald</a>	RE: Kraft -- Case Ending Press Release 6.2.19 -- JMM edits	8/5/2019 16:07	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email contains mental

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			<a href="mailto:@cftc.gov">@cftc.gov</a> McGonagle, Vincent A. <a href="mailto:VMcgonagle@cftc.gov">VMcgonagle@cftc.gov</a> Williamson, Scott R <a href="mailto:SWilliamson@cftc.gov">SWilliamson@cftc.gov</a> Gradman, Susan J <a href="mailto:SGradman@cftc.gov">SGradman@cftc.gov</a> Grimm, Daniel <a href="mailto:DGrimm@cftc.gov">DGrimm@cftc.gov</a>			<b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.	
20	<b>Kobre-Kim-CFTC-0005010</b>	Short, Michael <a href="mailto:MShort@cftc.gov">MShort@cftc.gov</a>	Howell, Robert <a href="mailto:RHowell@cftc.gov">RHowell@cftc.gov</a> Lowe, Gretchen L <a href="mailto:GLowe@cftc.gov">GLowe@cftc.gov</a> Wedewer, Harry E <a href="mailto:HWedewer@cftc.gov">HWedewer@cftc.gov</a> McDonald, James <a href="mailto:JMcDonald@cftc.gov">JMcDonald@cftc.gov</a> McGonagle, Vincent A. <a href="mailto:VMcgonagle@cftc.gov">VMcgonagle@cftc.gov</a> Williamson, Scott R <a href="mailto:SWilliamson@cftc.gov">SWilliamson@cftc.gov</a> Gradman, Susan J <a href="mailto:SGradman@cftc.gov">SGradman@cftc.gov</a> Grimm, Daniel <a href="mailto:DGrimm@cftc.gov">DGrimm@cftc.gov</a>	RE: Kraft -- Case Ending Press Release 6.2.19 -- JMM edits	8/5/2019 14:22	<b>Exemption 5</b> Deliberative Process Privilege	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.	

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<b>I. PUBLIC AFFAIRS DOCUMENTS<sup>2</sup></b>								
<b><u>Bates Number</u></b>	<b><u>Email From</u></b>	<b><u>Email To</u></b>	<b><u>Email CC</u></b>	<b><u>Email Subject</u></b>	<b><u>Email Date</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>	
21	Kobre-Kim-CFTC-0005175 <sup>6</sup>	Grimm, Daniel <u>/O=CFTC/OU=EXC HANGE ADMINISTRATIV E GROUP (FYDIBOHF23SPD LT)/CN=RECIPIEN TS/CN=GRI MM, DANIELFFE</u>	McDonald, James <u>JMcDonald @cftc.gov</u>		FW: Kraft -- Case Ending Press Release 6.2.19 -- JMM edits	8/5/2019 16:37	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(7)(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
22	Kobre-Kim-CFTC-0005194	Grimm, Daniel <u>/O=CFTC/OU=EXC HANGE ADMINISTRATIV E GROUP (FYDIBOHF23SPD LT)/CN=RECIPIEN TS/CN=GRI MM, DANIELFFE</u>	Short, Michael <u>MShort@cftc.gov</u>		Statement for Kraft press release	7/30/2019 12:16	<b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(7)(A)</b> Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

II. DRAFT PRESS RELEASES <sup>7</sup>			
<u>Bates Number</u>		<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>
23	Kobre-Kim-CFTC-0000541	Exemption 5: Attorney-Client Privilege Exemption 5: Work-Product Protection	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about

<sup>6</sup> The CFTC's *Vaughn* index only lists Daniel Grimm and James McDonald as parties to the communication. *See* Dkt. No. 35, Ex. 1 at 72. But the underlying document shows that Michael Short was also a party to the redacted communication.

<sup>7</sup> This table contains relevant excerpts from the CFTC's *Vaughn* index. *See* Dkt. No. 35, Ex. 1.

**EXHIBIT F**  
**Challenged Withholdings**

<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
<b><u>Bates Number</u></b>		<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>
		<b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
24	Kobre-Kim-CFTC-0000545	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
25	Kobre-Kim-CFTC-0000552	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
26	Kobre-Kim-CFTC-0000563	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
27	Kobre-Kim-CFTC-0000956	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced,

**EXHIBIT F**  
**Challenged Withholdings**

<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
	<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>
			could reasonably be expected to interfere with the Kraft enforcement proceeding.
28	Kobre-Kim-CFTC-0001054	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
29	Kobre-Kim-CFTC-0001169	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
30	Kobre-Kim-CFTC-0001412	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
31	Kobre-Kim-CFTC-0001721	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft reflecting pre-decisional deliberative communications about settlement strategy and what to communicate to the public about Commissioners' views on proposed settlement of the Kraft case. In addition the draft contains information communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. Finally, the email

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**Challenged Withholdings**

<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
	<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>
			contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
32	<b>Kobre-Kim-CFTC-0002593</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
33	<b>Kobre-Kim-CFTC-0002611</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
34	<b>Kobre-Kim-CFTC-0002845</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
35	<b>Kobre-Kim-CFTC-0002848</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if

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<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
	<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>
			produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
36	Kobre-Kim-CFTC-0003528	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
37	Kobre-Kim-CFTC-0003543	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
38	Kobre-Kim-CFTC-0003793	<b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
39	Kobre-Kim-CFTC-0003924	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>	
<b>40</b>	<b>Kobre-Kim-CFTC-0003928</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>41</b>	<b>Kobre-Kim-CFTC-0003934</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>42</b>	<b>Kobre-Kim-CFTC-0003957</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>43</b>	<b>Kobre-Kim-CFTC-0003960</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>	
<b>44</b>	<b>Kobre-Kim-CFTC-0003984</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>45</b>	<b>Kobre-Kim-CFTC-0003987</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>46</b>	<b>Kobre-Kim-CFTC-0003991</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>47</b>	<b>Kobre-Kim-CFTC-0003996</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>	
<b>48</b>	<b>Kobre-Kim-CFTC-0004000</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>49</b>	<b>Kobre-Kim-CFTC-0004099</b>	<b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>50</b>	<b>Kobre-Kim-CFTC-0004124</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. Draft also made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>51</b>	<b>Kobre-Kim-CFTC-0004130</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>52</b>	<b>Kobre-Kim-CFTC-0004159</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
	<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>
53	Kobre-Kim-CFTC-0004178	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about settlement approval in Kraft. Draft also made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
54	Kobre-Kim-CFTC-0004184	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
55	Kobre-Kim-CFTC-0004202	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
56	Kobre-Kim-CFTC-0004416	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
57	Kobre-Kim-CFTC-0004554	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if

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<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
	<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>
			produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
58	Kobre-Kim-CFTC-0004555	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
59	Kobre-Kim-CFTC-0004559	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
60	Kobre-Kim-CFTC-0004565	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
61	Kobre-Kim-CFTC-0004569	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>	
<b>62</b>	<b>Kobre-Kim-CFTC-0004573</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding
<b>63</b>	<b>Kobre-Kim-CFTC-0004651</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>64</b>	<b>Kobre-Kim-CFTC-0005005</b>	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft Commission statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>65</b>	<b>Kobre-Kim-CFTC-0005008</b>	<b>Exemption 5:</b> Deliberative Process Privilege	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>66</b>	<b>Kobre-Kim-CFTC-0005009</b>	<b>Exemption 5:</b> Deliberative Process Privilege	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was

**EXHIBIT F**  
**Challenged Withholdings**

<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
	<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>
			distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
67	Kobre-Kim-CFTC-0005012	<b>Exemption 5: Attorney-Client Privilege</b> <b>Exemption 5: Work-Product Protection</b> <b>Exemption 5: Deliberative Process Privilege</b> <b>Exemption 7(A): Ongoing Enforcement Matter</b>	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
68	Kobre-Kim-CFTC-0005172	<b>Exemption 5: Attorney-Client Privilege</b> <b>Exemption 5: Work-Product Protection</b> <b>Exemption 5: Deliberative Process Privilege</b> <b>Exemption 7(A): Ongoing Enforcement Matter</b>	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
69	Kobre-Kim-CFTC-0005177	<b>Exemption 5: Attorney-Client Privilege</b> <b>Exemption 5: Work-Product Protection</b> <b>Exemption 5: Deliberative Process Privilege</b>	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
70	Kobre-Kim-CFTC-0005178	<b>Exemption 5: Attorney-Client Privilege</b> <b>Exemption 5: Work-Product Protection</b> <b>Exemption 5: Deliberative Process Privilege</b>	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice

**EXHIBIT F**  
**Challenged Withholdings**

<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
	<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>
			as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
71	<b>Kobre-Kim-CFTC-0005322</b>	<b>Exemption 5: Work-Product Privilege</b> <b>Exemption 5: Attorney-Client Privilege</b> <b>Exemption 5: Deliberative Process Privilege</b> <b>Exemption 7(A): Ongoing Enforcement Matter</b>	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
72	<b>Kobre-Kim-CFTC-0005340</b>	<b>Exemption 5: Work-Product Privilege</b> <b>Exemption 5: Attorney-Client Privilege</b> <b>Exemption 5: Deliberative Process Privilege</b> <b>Exemption 7(A): Ongoing Enforcement Matter</b>	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
73	<b>Kobre-Kim-CFTC-0005644</b>	<b>Exemption 5: Work-Product Privilege</b> <b>Exemption 5: Attorney-Client Privilege</b> <b>Exemption 5: Deliberative Process Privilege</b> <b>Exemption 7(A): Ongoing Enforcement Matter</b>	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
74	<b>Kobre-Kim-CFTC-0005648</b>	<b>Exemption 5: Work-Product Privilege</b> <b>Exemption 5: Attorney-Client Privilege</b> <b>Exemption 5: Deliberative Process Privilege</b> <b>Exemption 7(A): Ongoing Enforcement Matter</b>	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of

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**Challenged Withholdings**

II. DRAFT PRESS RELEASES <sup>7</sup>			
	<u>Bates Number</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>
			seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
75	Kobre-Kim-CFTC-0005764	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
76	Kobre-Kim-CFTC-0005767	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
77	Kobre-Kim-CFTC-0005837	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
78	Kobre-Kim-CFTC-0005840	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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**Challenged Withholdings**

<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>	
<b>79</b>	<b>Kobre-Kim-CFTC-0005844</b>	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>80</b>	<b>Kobre-Kim-CFTC-0005855</b>	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>81</b>	<b>Kobre-Kim-CFTC-0005860</b>	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>82</b>	<b>Kobre-Kim-CFTC-0005895</b>	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. Draft containing mental impressions and opinions about the tentative settlement. Draft made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>83</b>	<b>Kobre-Kim-CFTC-0005901</b>	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

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**Challenged Withholdings**

<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>	
<b>84</b>	<b>Kobre-KimCFTC-0005913</b>	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>85</b>	<b>Kobre-KimCFTC-0005918</b>	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>86</b>	<b>Kobre-Kim-CFTC-0005990</b>	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>87</b>	<b>Kobre-Kim-CFTC-0005994</b>	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>88</b>	<b>Kobre-Kim-CFTC-0005999</b>	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
<b>89</b>	<b>Kobre-Kim-CFTC-0006004</b>	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft

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**Challenged Withholdings**

<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
<b><u>Bates Number</u></b>		<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>
		<b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
90	Kobre-Kim-CFTC-0006015	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
91	Kobre-Kim-CFTC-0006019	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
92	Kobre-Kim-CFTC-0006022	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
93	Kobre-Kim-CFTC-0006026	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft Commissioners' statement reflecting predecisional deliberative process regarding settlement strategy in the Kraft case. The draft was prepared and distributed for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
94	Kobre-Kim-CFTC-0006126	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal

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**Challenged Withholdings**

<b>II. DRAFT PRESS RELEASES<sup>7</sup></b>			
	<b><u>Bates Number</u></b>	<b><u>Asserted Grounds for Withholding</u></b>	<b><u>Purported Explanation for Withholding</u></b>
			advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
95	Kobre-Kim-CFTC-0006157	<b>Exemption 5:</b> Work-Product Privilege <b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
96	Kobre-Kim-CFTC-0006327	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft press release reflecting predecisional deliberative process regarding how and what to communicate to the public about tentative settlement of claims in the Kraft case. The draft was distributed for the purpose of seeking and providing legal advice as to litigation and settlement strategy and as to what to communicate to the public about settlement. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
97	Kobre-Kim-CFTC-0006778	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work-Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
98	Kobre-Kim-CFTC-0006783	<b>Exemption 5:</b> Attorney-Client Privilege <b>Exemption 5:</b> Work Product Protection <b>Exemption 5:</b> Deliberative Process Privilege <b>Exemption 7(A):</b> Ongoing Enforcement Matter	Draft statement reflecting predecisional deliberative process regarding approval of consent order in the Kraft case. Draft contains mental impressions and opinions about approval in Kraft. The draft was made for the purpose of seeking and providing legal advice. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

**EXHIBIT F**  
**Challenged Withholdings**

III. SETTLEMENT MESSAGING DOCUMENTS <sup>8</sup>								
<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
99	Kobre-Kim-CFTC-0000381	Davis, Daniel J <a href="mailto:DDavis@cftc.gov">DDavis@cftc.gov</a>	Grimm, Daniel <a href="mailto:DGrimm@cftc.gov">DGrimm@cftc.gov</a> Short, Michael <a href="mailto:MShort@cftc.gov">MShort@cftc.gov</a> McDonald, James <a href="mailto:JMcDonald@cftc.gov">JMcDonald@cftc.gov</a> Lowe, Gretchen L <a href="mailto:GLowe@cftc.gov">GLowe@cftc.gov</a> Faulk-White, Donna <a href="mailto:DFaulkWhite@cftc.gov">DFaulkWhite@cftc.gov</a>	Schwartz, Rob <a href="mailto:RSchwartz@cftc.gov">RSchwartz@cftc.gov</a> Einstman, John <a href="mailto:JEinstman@cftc.gov">JEinstman@cftc.gov</a>	RE: Update 1:11pm: WSJ Inquiry	8/16/2019 11:38	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement and contempt strategy communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
100	Kobre-Kim-CFTC-0000411	Reinhart, Stephanie <a href="mailto:SReinhart@cftc.gov">SReinhart@cftc.gov</a>	McDonald, James <a href="mailto:JMcDonald@cftc.gov">JMcDonald@cftc.gov</a> Faulk-White, Donna <a href="mailto:DFaulk-White@cftc.gov">DFaulk-White@cftc.gov</a> Lowe, Gretchen L <a href="mailto:GLowe@cftc.gov">GLowe@cftc.gov</a> Short, Michael <a href="mailto:MShort@cftc.gov">MShort@cftc.gov</a>	Howell, Robert <a href="mailto:RHowell@cftc.gov">RHowell@cftc.gov</a> Gradman, Susan J <a href="mailto:SGradman@cftc.gov">SGradman@cftc.gov</a> Williamson, Scott R <a href="mailto:SWilliamson@cftc.gov">SWilliamson@cftc.gov</a>	RE: Follow-up /WSJ- Kraft	8/15/2019 15:09	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement strategy communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
101	Kobre-Kim-CFTC-0000426	Faulk-White, Donna <a href="mailto:DFaulk-White@cftc.gov">DFaulk-White@cftc.gov</a>	Short, Michael <a href="mailto:MShort@cftc.gov">MShort@cftc.gov</a>	Lowe, Gretchen L <a href="mailto:GLowe@cftc.gov">GLowe@cftc.gov</a> McDonald, James <a href="mailto:JMcDonald@cftc.gov">JMcDonald@cftc.gov</a>	RE: MarketWatch -- Kraft	8/15/2019 13:44	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege	Email reflecting predecisional deliberative information about settlement strategy communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could

<sup>8</sup> This table contains relevant excerpts from the CFTC's *Vaughn* index. See Dkt. No. 35, Ex. 1.

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**Challenged Withholdings**

III. SETTLEMENT MESSAGING DOCUMENTS <sup>8</sup>								
<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
						<b>Exemption 7/7(A)</b> Ongoing Enforcement Matter	reasonably be expected to interfere with the Kraft enforcement proceeding.	
102	Kobre-Kim-CFTC-0000428	Faulk-White, Donna DFaulk-White@cftc.gov	Lowe, Gretchen L GLowe@cftc.gov Short, Michael MShort@cftc.gov McDonald, James JMcDonald@cftc.gov	Howell, Robert RHowell@cftc.gov Williamson, Scott R SWilliamson@cftc.gov Gradman, Susan J SGradman@cftc.gov	RE: Update 1:11pm: WSJ Inquiry	8/15/2019 13:33	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7/7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement strategy communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
103	Kobre-Kim-CFTC-0001004	Reinhart, Stephanie /O=CFTC/OU=EXC HANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPD LT)/CN=RECIPIEN TS/CN=SREI NHART	McDonald, James JMcDonald@cftc.gov Faulk-White, Donna DFaulk-White@cftc.gov Lowe, Gretchen L GLowe@cftc.gov Short, Michael MShort@cftc.gov	Howell, Robert RHowell@cftc.gov Gradman, Susan J SGradman@cftc.gov Williamson, Scott R SWilliamson@cftc.gov	RE: Follow-up /WSJ - Kraft	8/15/2019 15:09	<b>Exemption 7</b> <b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege	Email reflecting predecisional deliberative information about settlement strategy communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
104	Kim-CFTC-0001284 <sup>9</sup>	Davis, Daniel J DDavis@cftc.gov	Einstman, John JEinstman@cftc.gov Schwartz, Rob RSchwartz@cftc.gov		Fwd: Update 1:11pm: WSJ Inquiry	8/15/2019 14:09	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b>	Email reflecting predecisional deliberative communications about what to communicate to the public about settlement strategy related to the Kraft case. In addition the email contains information communicated for the purpose of seeking or providing legal advice

<sup>9</sup> The CFTC's *Vaughn* index only lists Daniel Davis, John Einstman, and Rob Schwartz as parties to the communication. See Dkt. No. 35, Ex. 1 at 61. But the underlying document shows that Michael Short and Donna Faulk-White were also parties to the redacted communication.

**EXHIBIT F**  
**Challenged Withholdings**

III. SETTLEMENT MESSAGING DOCUMENTS <sup>8</sup>								
	<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>
							Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	regarding such communications to the public. Finally, the email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
105	Kim-CFTC-0001357	Faulk-White, Donna <u>DFaulk-White@cftc.gov</u>	Short, Michael <u>MShort@cftc.gov</u>		Fwd: Update 1:11pm: WSJ Inquiry	8/15/2019 15:07	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement strategy communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
106	Kim-CFTC-0001368	Faulk-White, Donna <u>/O=CFTC/OU=EXC HANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FAULK-WHITE, DONNA0E9</u>	Short, Michael <u>MShort@cftc.gov</u>		Michael? RE: EXTERNAL Re: Re: Re: Re: from Micah/WSJ	8/15/2019 13:45	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement strategy communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
107	Kim-CFTC-0001402	Klima, Jaime <u>JKlima@cftc.gov</u>	Short, Michael <u>MShort@cftc.gov</u>		Re: Update 1:11pm: WSJ Inquiry	8/15/2019 15:23	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the

**EXHIBIT F**  
**Challenged Withholdings**

III. SETTLEMENT MESSAGING DOCUMENTS <sup>8</sup>								
<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
						Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.	
108	Kim-CFTC-0001414	Short, Michael <u>/O=CFTC/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENT/TS/CN=09F1D30F0676457784F184D196BA97C8-SHORT, MICHAEL</u>	Klima, Jaime <u>JKlima@cftc.gov</u>		FW: Update 1:11pm: WSJ Inquiry	8/15/2019 15:02	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement strategy communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
109	Kim-CFTC-0002121 <sup>10</sup>	Lowe, Gretchen L <u>GLowe@cftc.gov</u>	Reinhart, Stephanie <u>SReinhart@cftc.gov</u> v	Howell, Robert <u>RHowell@cftc.gov</u> Gradman, Susan J <u>SGradman@cftc.gov</u> Williamson, Scott R <u>SWilliamson@cftc.gov</u>	RE: WSJ Inquiry: Kraft	8/15/2019 12:45	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.

<sup>10</sup> The CFTC's *Vaughn* index only lists Gretchen Lowe, Stephanie Reinhart, Robert Howell, Susan Gradman, and Scott Williamson as parties to the communication. See Dkt. No. 35, Ex. 1 at 25. But the underlying document shows that Michael Short and Donna Faulk-White were also parties to the redacted communication.

**EXHIBIT F**  
**Challenged Withholdings**

III. SETTLEMENT MESSAGING DOCUMENTS <sup>8</sup>								
<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>	
110	Kim-CFTC-0002124 <sup>11</sup>	Reinhart, Stephanie <a href="mailto:SReinhart@cftc.gov">SReinhart@cftc.gov</a>	Lowe, Gretchen L <a href="mailto:GLowe@cftc.gov">GLowe@cftc.gov</a>	Howell, Robert <a href="mailto:RHowell@cftc.gov">RHowell@cftc.gov</a> Gradman, Susan J <a href="mailto:SGradman@cftc.gov">SGradman@cftc.gov</a> Williamson, Scott R <a href="mailto:SWilliamson@cftc.gov">SWilliamson@cftc.gov</a>	RE: WSJ Inquiry: Kraft	8/15/2019 12:31	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(A) Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
111	Kim-CFTC-0003011 <sup>12</sup>	Reinhart, Stephanie <a href="mailto:/O=CFTC/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=SREINHART">/O=CFTC/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=SREINHART</a>	Lowe, Gretchen L <a href="mailto:GLowe@cftc.gov">GLowe@cftc.gov</a>	Howell, Robert <a href="mailto:RHowell@cftc.gov">RHowell@cftc.gov</a> Gradman, Susan J <a href="mailto:SGradman@cftc.gov">SGradman@cftc.gov</a> Williamson, Scott R <a href="mailto:SWilliamson@cftc.gov">SWilliamson@cftc.gov</a>	RE: WSJ Inquiry: Kraft	8/15/2019 12:31	Exemption 5 Attorney-Client Privilege Exemption 5 Work-Product Protection Exemption 5 Deliberative Process Privilege Exemption 7(A) Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
112	Kim-CFTC-0003089 <sup>13</sup>		Howell, Robert <a href="mailto:RHowell@cftc.gov">RHowell@cftc.gov</a> Gradman, Susan J		RE: WSJ Inquiry: Kraft	8/15/2019 12:28	Exemption 5 Attorney-Client Privilege	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative

<sup>11</sup> The CFTC's *Vaughn* index only lists Stephanie Reinhart, Gretchen Lowe, Robert Howell, Susan Gradman, and Scott Williamson as parties to the communication. See Dkt. No. 35, Ex. 1 at 25. But the underlying document shows that Michael Short and Donna Faulk-White were also parties to the redacted communication.

<sup>12</sup> The CFTC's *Vaughn* index only lists Stephanie Reinhart, Gretchen Lowe, Robert Howell, Susan Gradman, and Scott Williamson as parties to the communication. See Dkt. No. 35, Ex. 1 at 44. But the underlying document shows that Michael Short and Donna Faulk-White were also parties to the redacted communication.

<sup>13</sup> The CFTC's *Vaughn* index only lists Robert Howell, Susan Gradman, and Scott Williamson as parties to the communication. See Dkt. No. 35, Ex. 1 at 45. But the underlying document shows that Michael Short and Donna Faulk-White were also parties to the redacted communication.

**EXHIBIT F**  
**Challenged Withholdings**

III. SETTLEMENT MESSAGING DOCUMENTS <sup>8</sup>								
	<u>Bates Number</u>	<u>Email From</u>	<u>Email To</u>	<u>Email CC</u>	<u>Email Subject</u>	<u>Email Date</u>	<u>Asserted Grounds for Withholding</u>	<u>Purported Explanation for Withholding</u>
			<u>SGradman@cftc.gov</u> Williamson, Scott R <u>SWilliamson@cftc.gov</u>				<b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.
113	Kim-CFTC-0004546	Short, Michael <u>MShort@cftc.gov</u>	Klima, Jaime <u>JKlima@cftc.gov</u>		W: Update 1:11pm: WSJ Inquiry	8/15/2019 15:02	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email reflecting predecisional deliberative information about settlement strategy communicated for the purpose of seeking or providing legal advice regarding the proposed settlement of claims in the Kraft case. The email contains internal information that if produced could reasonably be expected to interfere with the Kraft enforcement proceeding.
114	Kim-CFTC-0004644	Klima, Jaime <u>JKlima@cftc.gov</u>	Short, Michael <u>MShort@cftc.gov</u>		Re: Update 1:11pm: WSJ Inquiry	8/15/2019 15:23	<b>Exemption 5</b> Attorney-Client Privilege <b>Exemption 5</b> Work-Product Protection <b>Exemption 5</b> Deliberative Process Privilege <b>Exemption 7(A)</b> Ongoing Enforcement Matter	Email discussion reflecting predecisional deliberative process regarding what to communicate to the public about tentative settlement of claims in the Kraft case. The email discussion contains mental impressions and opinions about settlement strategy. Such communications are also made for the purpose of seeking and providing legal advice as to what to communicate to the public. The information, if produced, could reasonably be expected to interfere with the Kraft enforcement proceeding.